Previous references.

1910.-11

(Bank.)

File No. 31-16

Serial Nos. 1-2

Later references.

B 11-11 881-2 7 may 1912

B 40-11 8(1-2) 7. July 12

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for July 1911.

SUBJECT.

Nomination applications of Mr. S. Venkat Rao, and Mrs. M. J. Everette, policy holders.

---

1. From the Secretary Insurance Committee
No. 1930 dt 22-12-10.
Forwards the nomination applications of Mr. S. Venkata Rao & Mrs. M. J. Everette, for orders of Govt as they are not signed in the manner provided for under the rule.

2. To the Secretary Insurance committee
No. 2-76 Ins. 8-7-11
agrees with the views of the Committee and accepts the acceptance of the nominations and also directs the Committee to take up for consideration the amendment of rule 23 A and suitable amendments for the orders of Govt

G. R. S. 58

G.R.S. 11] 1910–11

GENERAL AND REVENUE SECRETARIAT.

(Banking)

NOTES.

File No. 31

FILE HEADING.

Nomination applications of Sir S Venkata Rau & Hon'ble J Ennatee

From The Secretary Insurance Committee

No. 1930 Dated 22/12/10 Received 23.1.10

Diary No. 254	Enclos. 2	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards the above two orders of Govt as they are not signed in the manner provided for in the Insurance rules.

NOTES AND ORDERS.

In connection with nomination applications ~~Rules 2, 3 & 4 specifically state~~ which should be signed in the manner prescribed under Rule 17 that is before his immediate

Notes—First sheet.

GPB.—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

B File No. 31 of 1910

Serial No.

Superior or in the absence of such a Secy to Govt, or a Dy Commr or Ch Judge — which cannot be worked practically in the case of Govt Servants who stay outside the State or in in the case of those who are on leave but who have elected to continue the insurance. The cases at once sent up for orders will serve to illustrate both these aspects — which were not indistinctly anticipated when framing rules 23 & 25. In the usual course of time many more cases of a similar nature are likely to arise.

2 It is respectfully submitted that an officer living at Lucknow like the Hon'ble Rao Should not forego the right to nominate simply because it is impossible for him to comply with the requirements of rule 29. The rule will have to be amended with due safe-

Note—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

Grants for proper nomination in such cases of a similar nature that may come up in future.

Subd for orders.

Ent 5/1/11

(45) 5 Here was case in which some alteration of this rule was desired where is it. Please put up.

1/Oct. 11.

[Recd back on 24-6-11 with Commissioners stating that the plea is not tenable.]

5 In another file, said plea not tenable, the amendment that the nomination instead of being made before an official superior could be made before a person or Magistrate having local jurisdiction was discussed and negatived.

6 In the two cases now under Consideration Mrs Everett's application dated before a Clergyman and Mr V. Venkatarao before the British Vice Consul at Leipzig.

7 Under such application your rules the nominations cannot be accepted but at the same time the Capacity of a Clergyman to give birth Certificates of Baptism, Marriage, burial & the Vice Consul to give certificates of Political Character &c, both valuable documents cannot be doubted

NOTE—Contn. sheet.

G. R. S. 12]
General and Revenue Secretariat.

File No. 3 / of 1910

Serial No.

8. I submit that we cannot refuse accepting the nomination at all events that signed before the Vice Consul without doing violence to the principle of International Law and to accept it would be to violate our own Rule.

9. It seems therefore desirable that our rule should be modified to suit all these cases as such cases may become frequent hereafter e.g. the opening of the Baghdad Railway may take many men to England and the Agencies & Consulates may be tried by men leaving service to continue paying premia whilst absence before an Officer impossible.

10. I would therefore respectfully submit that the rule may be amplified by adding the following after the nomination may be signed before the Officer or where that is not possible before a Magistrate having local jurisdiction or a Clergyman of Ordinances or Chaplain of a recognised Church or the British Vice Consul or Vice Consul.

Please prepare draft accepting nominations & calling for suitable amendment from the Committee.

H Secy

H. Lovell

Draft Ltd

Draft Ltd 11 Please prepare draft

2/5/11

2/5/11 H Secy 12 Vide the difficulty

2.5.11.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. 31 of 1909

Serial No.

in such cases is 'how do you know that the signature of the attesting officer is genuine?' In the case under the rules the signatures of the official superior is well-known in most cases or may be compared with previous signatures in all cases of doubt. But the signature of the British Vice-Consul at Leipzig or of the Asst Chaplain of St Annes Bombay or such other persons we have no means of verifying. Please note on this aspect of the question. When the document is properly sealed it may perhaps be accepted

M
8/5/11

13 Is the seal of the Vice Consul that attests the genuineness of the Signature as he has no seal is the same case as that of Clergymen but Certificate of baptism, marriage & death given by them are accepted & the question is why this should not be considered as being legally made when attested by the Clergyman's Signature. Will you favour us with your opinion on the point raised by the Resolution

Will
Subd

K
9/5/11

SR III
14/5/11 - 14 It is not quite clear

NOTE.—Contn. sheet.

GPB—55,000—27-4-08

G. R. S. 12]
General and Revenue Secretariat.

File No. 31 of 1910

Serial No.

precisely on what point the opinion of this Branch is wanted.]

15 The chief point which has to be borne in mind before any alteration in the rule is effected is to see that the Signature of the nominator — before whomsoever signed — is genuine. ~~Should~~ Good ~~Indorsed~~ ~~Insurance Committee~~ ~~Certificate~~ ~~Signature~~ ~~Witness~~ ~~Witnessed~~ ~~Should~~

16 If the Signature is affixed before a ~~Judge~~ magistrate in British India the ~~Certificate~~ will usually bear the seal of the Court in addition to the Signature of the judicial offr presiding. ~~Should~~ There seems to be no harm in accepting nominations made in this manner. In legal proceedings judicial notice is taken of the seals of such offrs in B. India.

Please see Sec 57 of the Indian Evidence Act.

17 A Chaplain is not a judicial offr except for very limited purposes connected with socio-legal events like marriage etc. It does not seem to be desirable that a Signature affixed in his presence should be recognised.

18 Signature before a British Vice-Consul may perhaps be recognised. He is usually a ~~Wall~~-Kuhn functionary and Chancery of

Outside B. India

NOTE—Contn. sheet.

GPB—55,000—27-4-09

[G. R. S. 12]
General and Revenue Secretariat.

B File No. 31 of 1910

Serial No.

Successful prosecution before him can
may be taken as rare.
19 [Even the Acts of Notaries Public
a foreign
in our Country can may be judicially noticed
in B. India.]

To Bar

13/5/11.

Submitted.

Bar
13/5

20 According to the opinion of Barr III the Vice-Consul's
13/5/11 application may be accepted but as that of the
Chaplain, may the case be referred to Govt Advocate
for opinion &c?

not necessary

(Dewan)

21 Vide addns to draft. My exact point
was not caught by Govt Secy Fin. The case
may now take its usual course. M
15/5

(Dewan)

11684
18.5.11

Draft as approved by Dewan. 29.6.

1.7.11

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

B File No. 31 of 19 10

Serial No.

✓ To the Secy Insurance Committee
Do No 768 of 7-11
Agrees with the views of the Committee Direct the acceptance of the nominations & Direct the Committee to take up for consideration the amendment of rule 23 A & B mutatis mutandis of the above nature & suggest suitable amendments for the orders of Govt

NOTE—Contn. sheet.

GPB—50,000—12-8-10

D 2544 (1)

INSURANCE OFFICE,
BANGALORE,
20th. DECEMBER 1910.

No: 1930/Ins 2.

B 31-10
Sl (1)

From

The Secretary,
Insurance Committee.

To

J. S. Chakravarti Esquire, M.A., F.R.A.S., etc.,
Financial Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

Sir,

I have the honor to submit herewith for orders of Government the nomination applications of Mr. S. Venkat Rao, holder of Policy No. 3092 and Mrs. M. J. Everette, holder of Policy No. 5698 with the opinion of the Committee recorded on each.

The applications are not signed in the manner provided in the Insurance Rules. Mr. Venkat Rao 's application is signed before the British Vice-Consul at Leipzic and the other one before the Assistant Chaplain of St. Annes, Bombay.

I have the honor to be,

Sir,

Your most obedient servant,

ASSISTANT SECRETARY,
INSURANCE COMMITTEE.

Clear draft.

G.R.S. 28.]

File No. 31-10

Serial No. 2

17

Diary No. of letter replied to 2574

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(Bangalore

, *the* 19

Date of issue 8 July 11

Signed by H/ Narasimhachar

No H 76 & 8-7-1911

READ—

Letter No 1930 & 22-12-10 from the Secy Lunacy Committee / submitting for orders of Govt the nominations / applications of Mr S Venkat Ra Hospital Assistant & here he f

ORDER THEREON.—No. Everett, nurse -

under the rules as they now stand applications for nomination should be signed in the same manner as proposed before the appointment of party wishing to nominate

Mahatta

over

SUBJECT.

GPB—10,000—5-12-09

CKK
17/7/11

In the two cases under consideration Mr Venkat Rao is in Germany on furlough & Mrs Emeth has left the Service & is residing in Bombay. It is therefore not possible for them to sign their applications before their official superiors.

As a matter of fact however Mr Venkat Rao has signed his application before the British Consul at Leipzig & Mrs Emeth before the chaplain of St Annes both these dignitaries being by virtue of their position empowered to attest documents.

The Committee also consider that both these applications should be approved. forth with with the views of the committee & sanction the acceptance of these nominations if in case however

(Send receipted as in NG case if attested abroad)

Show the signature of the officer before whom the document is attested is duly accompanied by the seal of his office & a communication from the officer himself or his confirming independently attested by the Germans Office

G.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT

(*Continuation Sheet draft form.*)

(2) The Committee may take up for consideration the amendment of rule 234 to meet cases of the above nature & suggest suitable amendments for the orders of Govt.

29 June

H Secretary
6/3.5[illegible]
To the Secretary, Departmental Committee returning enclosures.